

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

TORMASOV *et al.*

Appl. No.: 09/918,032

Filed: July 30, 2001

For: **Distributed Network Data Storage
System and Method**

Confirmation No.: 1026

Art Unit: 2151

Examiner: TRAN, Nghi V.

Atty. Docket: 2230.0390001

Communication to Examiner

Attn: Mail Stop Issue Fee

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herein is the following Non-Patent Literature reference: Michael O. Rabin, Efficient Dispersal of Information for Security, Load Balancing, And Fault Tolerance, *Journal of the Association for Computing Machinery*, vol. 36, no. 2, pp. 335-348 (1989).

Applicants have become aware of this reference after it was cited by the Examiner in another pending patent application assigned to the same assignee, namely, Serial No. 10/293,196, filed on November 13, 2002, entitled DISTRIBUTED TRANSACTIONAL NETWORK STORAGE SYSTEM, and assigned to Examiner Brian J. Gillis.

This reference was cited in an office action dated March 30, 2007. In the present application, the prosecution has been closed, and issue fee has been paid prior to the

issuance of the office action in Application No. 10/293,196. Applicants have reviewed the Rabin reference, and believe that it is cumulative to the references already of record in the present application, as far as the relevance of (N,K) algorithms to the allowed claims. Thus, applicants do not believe that there is a need to file an RCE and reopen prosecution of the present application.

However, in the interest of full disclosure, Applicants are submitting this communication and the Rabin reference, and request that it be placed in the application file.

It is believed that extensions of time are not required beyond those that may otherwise be provided for in documents accompanying this Amendment. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

BARDMESSER LAW GROUP

/GB/

George S. Bardmesser
Attorney for Applicants
Registration No. 44,020

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910 17th Street, N.W.
Suite 800
Washington, D.C. 20006
(202) 293-1191